

Remarks

The undersigned wishes to thank Examiner Chevalier for the courtesies extended in the interview conducted on March 30, 2005, with the undersigned and William E. McCracken, Esq. The remarks presented herein are intended to summarize and amplify the matters discussed in such interview.

Claims 1-33, 35-41, 43-70, and 72-83 are at issue in the present application, claims 34, 42, and 71 having been canceled by this amendment.

Applicants traverse the rejections of the claims at issue as anticipated by or obvious over Pearlstein, Tanizaki et al., Phillips, Komatsu et al., and Incorvia et al.

Claim 1, and claims 2-32 and 78-80 directly or indirectly dependent thereon, as amended, recite a disposable cutting sheet for processing food items thereon. The cutting sheet includes a first cut-resistant layer having a first surface area and including a cellulosic ply and a thermoplastic ply, wherein the thermoplastic material ply of the first layer includes a plurality of apertures therethrough. The cutting sheet further includes a second layer having a second surface area and including a cellulosic ply and a thermoplastic material ply, wherein the cellulosic ply of the first layer is disposed atop and secured to the cellulosic ply of the second layer such that portions of the thermoplastic and cellulosic plies of the second layer form a border completely surrounding the first layer.

Claim 33, and claims 35-41, 43-69, and 81-83 directly or indirectly dependent thereon, as amended, specify a disposable cutting sheet for processing food items thereon. The cutting sheet includes a first cut-resistant layer having a first surface area and including a ply of tissue disposed below a ply of thermoplastic material, wherein the first layer includes a plurality of apertures therethrough. The cutting sheet further includes a planar second layer having a second surface area and including a ply of tissue disposed above a ply of thermoplastic material. The tissue ply of the first layer is disposed below and secured to the tissue ply of the second layer and is substantially centered on the second layer in at least one dimension such that portions of the thermoplastic and tissue plies of the second layer form a border completely surrounding the first layer.

Claim 70, and claims 72-77 directly or indirectly dependent thereon, as amended, recite a disposable cutting sheet for processing food items thereon. The cutting sheet includes a first layer having a cut resistant ply and a second layer having an absorbent ply and a barrier ply disposed below and secured to the absorbent ply. The absorbent ply of the

second layer is disposed below and secured to the cut resistant ply of the first layer. Additionally, the first layer and the second layer are secured to one another such that portions of the absorbent and barrier plies of the second layer form a border completely surrounding the first layer. Still further, the first layer includes a plurality of apertures therein.

The cited references, alone or in combination, do not disclose or suggest a disposable cutting sheet for processing food items thereon and including first and second layers wherein portions of thermoplastic or barrier and tissue or cellulosic plies of the second layer form a border completely surrounding the first layer, as recited by claims 1-33, 35-41, 43-69, and 78-83.

Further, the cited references, alone or in combination, do not disclose or suggest a disposable cutting sheet for processing food items thereon and including a cut-resistant layer, an absorbent layer, and a barrier layer, wherein portions of the absorbent and barrier layers form a border completely surrounding the cut-resistant layer, as specified by claims 70-77.

In fact, Pearlstein discloses an absorbent package for food products having a three-layer structure and including a first film layer having apertures therein, a second absorbent layer, and a third paperboard layer. As seen in FIG. 7, this three-layer structure is used to create a continuous sheet that is die cut to create fold lines. The three-layer structure includes a main panel, four side panels extending from the main panel, and one tab extending from each of the side panels. The side panels are folded up and the tabs are folded inwardly and adhered to opposing side panels, as seen in FIGS. 8 and 9. The resulting tray, as detailed in FIG. 9 has a bottom and side portions that are comprised of the three-layer structure and corner portions that are comprised of two overlapping three-layer structures. Therefore, as seen in FIG. 9, the overlapping portion includes a first three-layer structure atop a second three-layer structure such that a paperboard layer of the first three-layer structure is adhesively joined to the film layer of the second three-layer structure. The sole purpose of these overlapping sections are to join tab portions of the sheet to panel portions of the sheet to thereby form a tray.

Tanizaki et al. merely discloses a polypropylene composition including a resin comprising metallocene polypropylene including a copolymer of propylene and ethylene. The resin also optionally may comprise additives including, but not limited to, talc, calcium, magnesium, and antioxidants. Tanizaki et al. does not disclose or suggest a cutting sheet at all.

Phillips discloses a grease and moisture absorbing insert for microwave cooking including a first layer with a plurality of holes, a second absorbent layer, and a third bottom layer. All three layers are of the same size and shape. Phillips does not disclose a cutting sheet including first and second layers each having two plies, nor does it disclose thermoplastic and tissue or cellulosic plies of the second layer forming a border completely surrounding the first layer.

Komatsu et al. discloses a package containing an agent for retaining the quality of food kept therein. The package comprises an outer layer of a substantially gas-impermeable material, a first seal layer formed on an inner side of the outer layer, an inner layer formed on an inner side of the first seal layer, and a gas-permeable second seal layer formed on an inner side of the inner layer. Peripheral portions of the second seal layer are adhered to one another to form a sealed package. As with Phillips, Komatsui et al. does not disclose a cutting sheet having first and second layers each having two plies. Komatsui et al. also does not disclose a cutting sheet including thermoplastic and tissue or cellulosic plies of the second layer that form a border completely surrounding the first layer.

Incorvia et al. discloses an adhesive desiccant deposit comprising a hot melt adhesive and a desiccant dispersed within the hot melt adhesive, wherein the hot melt adhesive is selected from the group consisting of vinyl acetate, ethyl vinyl acetate, polyurethane, and combinations thereof.

The structures of cited references do not achieve the same results as the disposable cutting sheets of claims 1-33, 35-41, 43-70, and 72-83. Specifically, the disposable cutting sheets of claims 1-33, 35-41, 43-70, and 72-83 include a cutting surface that can be utilized to manipulate an item such that any liquid flowing therefrom can migrate downwardly through the apertures into the absorbent plies or layers. Liquid is also allowed to move laterally outwardly of the cutting surface onto the exposed absorbent ply, thereby absorbing more liquid, but still providing a sufficient cutting surface. None of the cited references provides such an advantage.

Because the prior art does not disclose each of the elements recited by the claims at issue, it follows that such claims are not anticipated thereby.

Further, because none of the prior art discloses or suggests that it would be desirable or even possible to provide a disposable cutting sheet as specified by the claims at issue, it is evident that the claims are not obvious thereover. The prior art must disclose at least a suggestion of an incentive for the claimed combination of elements in order for a *prima facie* case of obviousness to be established. See *In re Sernaker*, 702 F.2d 989, 994 (Fed. Cir. 1983) and *Ex Parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. & Inter. 1985). Accordingly, the obviousness rejections should be withdrawn.

For the foregoing reasons, reconsideration and withdrawal of the rejections of the claims at issue and allowance thereof are respectfully requested.

Respectfully submitted,

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